

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 22, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, November 15, 2005. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, November 22, 2005.

- 3) **PUBLIC HEARINGS:**
 - A. Hospital Authority No. 1 of Lancaster County, Nebraska to issue Development Revenue Bonds (Grand Lodge Project), Series 2005. (See New Business Item 5A for correlating documentation.)

 - B. County Final Plat No. 05094, Wyndam Place 2nd Addition, requested by Brian D. Carstens and Associates on behalf of Bernie and Connie Heier, for two lots and one outlot, on property generally located at North 176th and Holdrege Streets, and more specifically Knotting Drive and North 179th Street in Lancaster County, Nebraska. (See New Business Items 5B and 5C for correlating documentation.)

- 4) **OLD BUSINESS:**
 - A. A resolution in the matter of County Special Permit No. 05038, requested by Lyle Loth on behalf of Richard and Connie Roush and Gary and Darcie Kvasnicka, to construct dwellings within 1,320 feet of a public lake, on property generally located northeast of the corner of South 96th Street and Wagon Train in Lancaster County, Nebraska. (R-05-0135)

<p style="text-align:center">THOSE WISHING TO SPEAK ON ITEMS SPECIFIC TO TODAY'S AGENDA ARE ASKED TO DO SO WHEN THE ITEM IS CALLED BY THE COUNTY CLERK. EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES.</p>

4) **OLD BUSINESS CONTINUED:**

- B. A resolution in the matter of County Special Permit No. 05039, Wagon Train Estates Community Unit Plan, requested by Lyle Loth of ESP on behalf of Richard and Connie Roush and Gary and Darcie Kvasnicka, to develop five residential acreage units with associated waiver requests on property generally located northeast of the corner of South 96th Street and Wagon Train Road in Lancaster County, Nebraska. (R-05-0136)
- C. A resolution in the matter of County Preliminary Plat No. 05013, Wagon Train Estates, requested by Lyle Loth of ESP on behalf of Richard and Connie Roush and Gary and Darcie Kvasnicka, for five residential acreage lots on property generally located northeast of the corner of South 96th Street and Wagon Train Road in Lancaster County, Nebraska. (R-05-0137)
- D. A resolution in the matter of County Change of Zone No. 05048, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of the owner, Paul Green, on property generally located northeast of Southwest 98th Street and West Pioneers Boulevard in Lancaster County, Nebraska. (R-05-0147)
- E. A resolution in the matter of County Special Permit No. 05033, requested by Lyle Loth of ESP on behalf of Paul Green, to allow dwelling units within 1,320 feet of a public lake on property generally located northeast of Southwest 98th Street and West Pioneers Boulevard in Lancaster County, Nebraska. (R-05-0146)
- F. A resolution in the matter of County Preliminary Plat No. 05012, Conestoga Lake Estates, on property generally located northeast of Southwest 98th Street and West Pioneers Boulevard in Lancaster County, Nebraska. (R-05-0148)

5) **NEW BUSINESS:**

- A. A resolution approving the issuance by Hospital Authority No. 1 of Lancaster County, Nebraska of not to exceed an additional \$13,050,000 principal amount of its Development Revenue Bonds (Grand Lodge Project) solely for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended; and approving the issuance sale and delivery of an additional series of such bonds, in the amount of \$13,050,000; and related matters. (R-05-0153)

5) **NEW BUSINESS CONTINUED:**

- B. A resolution in the matter of County Final Plat No. 05094, Wyndam Place 2nd Addition, requested by Brian D. Carstens and Associates on behalf of Bernie and Connie Heier, consisting of two lots and one outlot, on property generally located at North 176th and Holdrege Streets, more specifically Knotting Drive and North 179th Street in Lancaster County, Nebraska. (R-05-0152)
- C. A subdivision agreement with Bernie and Connie Heier, for County Final Plat No. 05094, Wyndam Place 2nd Addition, on property generally located at North 176th and Holdrege Streets, more specifically Knotting Drive and North 179th Street in Lancaster County, Nebraska. (C-05-0575)
- D. A resolution concurring with the State of Nebraska Department of Roads to award a bid to Elk Horn Construction Company, in the amount of \$811,844.63, regarding Federal Aid Project BRO-7055(101), Waverly North. (R-05-0154)
- E. Recommendation from the Purchasing Agent to award a bid and approve a contract with LeGrande Excavating for loading snow from City and County parking lots at a rate of \$85 per hour, snow removal from sidewalks at \$68 per hour and applying ice melt at \$72 an hour for truck mounted and \$68 for sidewalk spreader. Term of the agreement is November 1, 2005 through May 1, 2006. (C-05-0576)
- F. Contract Addendum No. 1 to an agreement with Wagey Drug Company, Inc., executed in January, 2000 under County Specification #99-129, for pharmacy and related services, including supplies, equipment, delivery and consulting services for the Lancaster County General Assistance Program. Wagey has agreed to provide storage and distribution of medication for those General Assistance clients qualified to participate in the RX Assistance Program and the parties wish to amend the agreement to reflect such service. (C-05-0577)
- G. An addendum to the 2005-2006 labor agreement with the American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME), Local 2468 amending the labor agreement to establish a Temporary Retirement Incentive and to add a new Article 41 entitled Temporary Retirement Incentive. (C-05-0578)

5) **NEW BUSINESS CONTINUED:**

- H. First Amendment to the Mutually Preferred Mental Health Facility Agreement between Lancaster County, on behalf of the Community Mental Health Center, and Mutual of Omaha Insurance Company, United of Omaha Life Insurance Company and United Work Life Insurance Company for payment of services for patients at the Community Mental Health Center. The agreement amends the existing fee schedule to include a reimbursement schedule for outpatient services of the Preferred Providers Organization (PPO) plans. (C-05-0579)
- I. First Amendment to a Facility Services Agreement between Lancaster County, on behalf of the Community Mental Health Center, and Exclusive Healthcare, Inc. for payment of services for patients at the Community Mental Health Center. The agreement amends the existing fee schedule to include a reimbursement schedule for outpatient services for the Health Maintenance Organization (HMO) and Point-of-Service Plans. (C-05-580)
- J. Multnomah Community Ability Scale (MCAS) License Agreement between Network Ventures, Inc. and Lancaster County, on behalf of the Community Mental Health Center, for a license to utilize MCAS, a rating scale of symptoms and functioning, designed to be used with mental health consumers who have a severe and persistent mental illness. The County will pay a license fee of \$250. (C-05-0581)
- K. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to Metroplex Control Systems, in the amount of \$50,400, for the security system upgrade for the Corrections Department.
- L. Appointment of Leanne Malecha to the Community Mental Health Center Advisory Committee to complete the unexpired term of Roxanna Copp, ending December 31, 2007.
- M. Reappointment of the following individuals to the Lancaster County Ecological Advisory Committee:
- ▶ Cyril Bish, term to expire December 31, 2006
 - ▶ Val Bohaty, term to expire December 31, 2006
 - ▶ Marge Davenport, term to expire December 31, 2006
 - ▶ Dennis Schroeder, term to expire December 31, 2006
 - ▶ Kay Kottas, term to expire December 31, 2007
 - ▶ Marilyn McNabb, term to expire December 31, 2007
 - ▶ Richard Slama, term to expire December 31, 2007

5) **NEW BUSINESS CONTINUED:**

N. Reappointment of Norm Agena, County Assessor/Register of Deeds, to the Lancaster County Sheriff's Office Merit Commission for a three year term, beginning January 1, 2006 and ending December 31, 2009.

O. Letter to the Lincoln City Council opposing the sale of the K Street Complex.

6) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. County Engineer's Quarterly Report for July, August and September, 2005.
2. County Engineer's Quarterly Report for the Geographic Information System (GIS) division for July, August and September, 2005.

B. Setting of a public hearing for Tuesday, December 6, 2005 at 1:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding application of setback requirements in the Lancaster County Zoning Regulations to any building used as a residence on a farmstead of 20 acres or more effective January 1, 2006.

C. Requests from the following individuals to voluntarily participate in the Lancaster County Retirement Plan, having met the requirements:

- ▶ Lisa D. Spratt, an employee with the Community Mental Health Center
- ▶ Steve A. Slapnicka, an employee with the County Engineering Department
- ▶ Corinne McChesney, an employee with the Clerk of the District Court's Office

7) **ANNOUNCEMENTS:**

A. The Lancaster County Board of Commissioners will not hold a staff meeting on Thursday, November 24, 2005 due to the Thanksgiving holiday. The next regularly scheduled staff meeting will be held on Thursday, December 1, 2005 beginning at 8:30 a.m. in Room 113 on the first floor of the County-City Building.

B. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

8) **PENDING:**

- A. Public hearing regarding County Change of Zone 04053, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Hunzeker on behalf of Wapiti Enterprises, Inc., on property generally located at the southeast corner of Southwest 40th Street and Rokeby Road in Lancaster County, Nebraska. (Placed on pending September, 2004.)
- B. County Change of Zone 04074, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- C. County Special Permit 04058, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage units, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- D. County Preliminary Plat 04028, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- E. County Final Plat 04126, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- F. A resolution regarding the creation of a joint public agency as provided by the Joint Public Agency Act with the participation of the County of Lancaster and the City of Lincoln. The Joint Public Agency is being created to provide for the design, acquisition of land and construction of improvements for the Rural to Urban Roadway Transition Streets Program (RUTS) and the design and acquisition of land for the East Beltway. (R-05-0109) (Placed on pending September, 2005.)
- G. Vacation of a portion of South 162nd Street located in the Southwest Quarter of Section 26, Township 9 North, Range 8 East, of the 6th P.M., in Lancaster County, Nebraska. (Placed on pending October, 2005.)
- H. A resolution in the matter of County Change of Zone No. 05063, from AG Agricultural District to AGR Agricultural Residential District, requested by Steven Schmidt, on property generally located southeast of the corner of North 105th Street and Alvo Road/Highway 34 in Lancaster County, Nebraska. (R-05-0140) (Placed on pending November, 2005.)

9) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

NOTE: Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.

The Board of Commissioners agenda and minutes may be accessed on the Internet at <http://www.lancaster.ne.gov> on the County Clerk's website.

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 22, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 15, 2005. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

THOSE WISHING TO SPEAK ON ITEMS SPECIFIC TO TODAY'S AGENDA ARE ASKED TO DO SO WHEN THE ITEM IS CALLED BY THE COUNTY CLERK. EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES.

- 2) **MOTOR VEHICLE TAX EXEMPTIONS:**

Christian Retirement Homes, Inc. d/b/a Eastmont Towers
Cristo Rey Catholic Church
Pius X High School
St. Mark's United Methodist Church
St. Patrick's Catholic Church
School Sisters of Christ the King
Trinity United Methodist Church
Women in Community Service, Inc.

- 3) **ADJOURNMENT:**

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